

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

IN RE:

Mark Craft

Case No.: 15-41129

Judge: Timothy A. Barnes

Chapter 13

Debtor

NOTICE OF MOTION

TO: Creditors on attached service list

PLEASE TAKE NOTICE that on **May 9, 2019, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, I will appear before the Honorable Timothy A. Barnes of the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, in Room 744 at 219 South Dearborn, Chicago, Illinois and then and there present Debtor's MOTION TO MODIFY PLAN, a copy of same is attached hereto and thereby served upon you. You may appear if you so see fit.

/s/ Salvador J. Lopez

Salvador J. Lopez
ARDC # 6298522
Robson & Lopez, LLC
180 W. Washington, Ste 700
Chicago, IL 60602
(312) 523-2021

CERTIFICATE OF SERVICE

I, Salvador J. Lopez, an attorney, certify that the above captioned Notice of Motion and Motion to Modify Plan were served upon the parties indicated by * via CM/ECF filing, and the remaining by either certified first class mail or first class mail, with postage prepaid, as identified on the below service list, on April 18, 2019, from 180 W. Washington, Chicago, IL 60602.

/s/ Salvador J. Lopez

SERVICE LIST

*Marilyn Marshall
Chapter 13 Trustee
224 South Michigan, Suite 800
Chicago, IL 60604
courtdocs@chi13.com

*Patrick Layng
219 S. Dearborn
Room 873
Chicago, IL 60604
USTPRegional11.ES.ECF@usdoj.gov

*Sandra L. Makowka
David T. Cohen & Associates
10729 West 159th Street
Orland Park, IL 60467
smakowka@davidtcohenlaw.com
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Mark Craft, Debtor
7322 S. Vernon
Chicago, IL 60619
Via First Class Mail

Case type: bk **Chapter:** 13 **Asset:** Yes **Vol:** v **Honorable Judge:** Timothy A. Barnes
Date filed: 12/04/2015 **Date of last filing:** 01/25/2016

Creditors

Capiral One Auto Finance

Attn: Bankruptcy (23993851)
PO Box 259407 (cr)
Plano, TX 75025-9407

Capital One

Attn: Bankruptcy (23993852)
PO Box 30285 (cr)
Salt Lake City, UT 84130

Cbna

50 Northwest Point Road (23993853)
Elk Grove Village, IL 60007 (cr)

Cds/Escallate LLC

Attn:Bankruptcy (23993854)
5200 Stoneham Rd Ste 200 (cr)
North Canton, OH 44720

Chase Card Services

Attn: Correspondence Dept (23993855)
PO Box 15298 (cr)
Wilmington, DE 19850

City of Chicago (Water)

Dept. of Finance/Billing (23993856)
333 S. State, Suite 330 (cr)
Chicago, IL 60604

Commonwealth Edison

System Credit/ Bankruptcy Dept (23993857)
2100 Swift Drive (cr)
Oak Brook, IL 60523-1559

Commonwealth Edison Company

3 Lincoln Center (24031166)
Attn: Bankruptcy Department (cr)
Oakbrook Terrace, IL 60181

Cook County Treasurer

118 N. Clark, Rm 112 (23993858)
Chicago, IL 60602 (cr)

David T. Cohen & Associates

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Attn Bankruptcy
10729 W. 159th Street
Orland Park, IL 60467 (cr)**Dept Of Ed/Navient**Attn: Claims Dept (23993860)
PO Box 9400 (cr)
Wilkes Barr, PA 18773**TCF National Bank**Attention Bankruptcy (23993861)
1405 Xenium Lane North (cr)
Plymouth, MN 55441

PACER Service Center			
Transaction Receipt			
01/25/2016 18:34:03			
PACER Login:	rl4198:4014615:0	Client Code:	
Description:	Creditor List	Search Criteria:	15-41129 Creditor Type: cr
Billable Pages:	1	Cost:	0.10

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FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

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Debtor

DEBTOR'S MOTION TO MODIFY PLAN

Debtor, Mark Craft, moves the Court to approve a modification of his plan pursuant to 11 U.S.C. § 1329(a)(2) as set forth herein. The grounds for this motion are:

1. The debtor filed his case on December 4, 2015.
2. The debtor previously received a discharge in a chapter 7 case filed on July 31, 2012.
3. As such, debtor is not entitled to a discharge in this case, but needed to file to save his home from foreclosure.
4. Debtor's Chapter 13 Plan ("Plan") dated June 15, 2016 was confirmed on June 20, 2016.
5. The debtor is on payroll control.
6. Due to illness resulting from an accident, debtor has been forced to periodically miss work, which has led to missed or reduced payments under the payroll control order.
7. The debtor's plan currently has a "pot" remaining balance of \$41,866.33, with 20 months left on debtor's plan, which would pay his general unsecured creditors at 60%.
8. Debtor's general unsecured creditors are limited to a student loan to Navient in the amount of \$26,897.00, and a Commonwealth Edison bill in the amount of \$1440.76.

9. However, since both Navient and Commonwealth Edison's remaining debt will survive the bankruptcy, there will be no prejudice to reducing the percentage paid to them under the plan.
10. Debtor's plan also pays off the mortgage on his home so that his family does not lose their home.
11. Debtor requests that the percentage paid to his general unsecured creditors be reduced to 10%, which would reduce his remaining plan "pot" to \$30,531.22.
12. With twenty months remaining on his sixty-month plan, debtor proposes to increase his monthly plan payment to \$1,527.
13. The debts to Navient and ComEd will survive the bankruptcy.
14. The payments to debtor's secured claims will remain unchanged.

WHEREFORE, the debtor prays that the Court enter an order:

- a) Reducing the percentage to general unsecured creditors to 10%;
- b) Reducing the remaining plan pot to \$30,531.22
- c) Increasing the monthly plan payment to \$1,527.00;
- d) Updating the payroll control order to reflect the increased payment;
- e) Grant such other, further and different relief as may be just and proper.

Respectfully submitted,

/s/ Salvador J. Lopez

Attorney for Debtor

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